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SC

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/189,250	11/10/98	SILVESTER	K INTL-0154-US
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WM01/0720

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EXAMINER

HOOSAIN, A

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/20/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/189,250

Applicant(s)

SILVESTER, KELAN C.

Examiner

Allan Hoosain

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment B, 5/4/01.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 26-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Pepe et al.** (US 5,742,905) in view of **Greco et al.** (US 5,568,540).

As to Claim 26, with respect to Figures 31-36, **Pepe** teaches a method comprising:

identifying information about the source of a telephonic message (Col. 20, lines 43-44);

selecting a portion of said message (Col. 20, lines 50-54);

☞ converting said portion to text (Col. 19, lines 43-44);⁷

exporting said portion and said source information into a graphical user interface that displays a log of telephone calls including the source information and information about the subject matter of the message (Col. 20, lines 43-54, Col. 28, lines 15-18 and 35-40 and Col. 35, lines 30-50); and

Pepe does not teach the following limitation:

“displaying said portion in said graphical user interface including displaying the source of said message ^{and} using said portion to indicate information about the subject matter of the message”[^]

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Greco teaches the limitation (Figure 2). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add subject display capability to **Pepe's** invention for displaying call subject as taught by **Greco's** invention in order to provide a user with call screening notification based on call subject.

As to Claims 27,38, **Pepe** teaches the method of claim 26 wherein identifying information about the source of a telephonic message includes using a caller identification device (Col. 16, lines 7-8).

As to Claims 28,33, **Pepe** teaches the method of claim 26 wherein selecting a portion of said message includes selecting the initial portion of said message of a size sufficient to fit within an available field within said graphical user interface (Figure 31, label 632).

As to claims 29,34, **Pepe** teaches the method of claim 26:

Pepe does not teach the following limitation:

“wherein exporting said portion and said source information into a graphical user interface includes exporting said portion and said source information in a fashion that the portion may be provided under a heading indicating the source of the telephone call and said portion is displayed under a heading that indicates the subject matter of the telephone call”

Greco teaches the limitation (Figure 2). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add subject display capability to **Pepe's** invention for displaying call subject heading as taught by **Greco's** invention in order to provide a user with call screening notification based on call subject.

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As to Claims 30,35, **Pepe** teaches the method of claim 28 including exporting said portion and said source information into a graphical user interface that also lists received e-mail messages (Figures 31 and 33).

As to Claims 31,36, **Pepe** teaches the method of claim 30 including exporting said portion and said source information into a graphical user interface that indicates e-mail messages and provides the source of the e-mail messages and the subject matter of the e-mail messages (Col. 35, lines 43-51).

As to claims 32, 37, with respect to Figures 31-36, **Pepe** teaches a PCI server (an article) comprising a user profile (medium) storing instructions that enable a processor-based system to:

- identify information about the source of a telephonic message (Col. 20, lines 43-44);
- select a portion of said message (Col. 20, lines 50-54);
- convert said portion to text (Col. 19, lines 43-44);
- export said portion and said source information into a graphical user interface that displays a log of telephone calls including the source information and information about the subject matter of the message (Col. 20, lines 43-54, Col. 28, lines 15-18 and 35-40 and Col. 35, lines 30-50); and

Pepe does not teach the following limitation:

“display said portion in said graphical user interface including displaying the source of said message and using said portion to indicate information about the subject matter of said message”

Greco teaches the limitation (Figure 2). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add subject display

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capability to **Pepe's** invention for displaying call subject heading as taught by **Greco's** invention in order to provide a user with call screening notification based on call subject.

Response to Arguments

3. Applicant's arguments with respect to claims 26-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wolff et al. (US 5,327,486) teach notifying a user of incoming calls using voice clips.

Gordon (US 5,608,786) teaches displaying message summaries including call source information.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or:

(703) 308-6296 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

I.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Allan Hoosain
Primary Examiner
07/18/01